

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas A. Fairhall on 10/16/2008. The application has been amended as follows:

#### IN THE CLAIMS:

**Cancel** Claim 4.

Claim 1, line 13, after 'said path', **delete** — . —

Claim 1, line 13, after 'said path', **insert**—; —

Claim 1, lines 14 plus (new), **insert** — wherein said drive subsystem further comprises:

a threaded shaft having a first end and a second end, said shaft extending between said first and second ends of said path,

a servomotor driving said shaft and located at said first end,

a fixed front bearing mount receiving said second end of said shaft,

a guide extending parallel to said threaded shaft along said path between said first and second ends and extending through said block, and

a threaded member fixed with respect to said block receiving said threaded shaft between the first and second ends thereof,

wherein as said shaft is rotated by the servomotor within said threaded member, said block is slid along said guide to thereby move said block between said first and second ends of said path. —

#### **EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance:

Claims 1-3, 5 and 20 are allowable over the prior art, since the prior art fails to teach or fairly suggest a transport system in an automatic sample testing machine, the transport system comprising a carrier holding test sample devices and having a plurality of optical position tracking features formed in the carrier; a drive sub-system which includes a reciprocating motor-driven block engaging the carrier and configured to move the carrier back and forth in a predetermined longitudinal path; the longitudinal path having a first end and a second end; the longitudinal path extending along a longitudinal axis from an entrance station to a plurality of processing stations in the automatic sample testing machine; the test sample devices being configured to access the plurality of processing stations during the carrier being moved along the longitudinal path; at least one carrier position tracking sensor placed along the longitudinal path; the sensor(s) being configured for detecting the position tracking features on the carrier during the carrier being moved along the longitudinal path; the drive subsystem further including a threaded shaft having a first end and a second end, the threaded shaft extending between the corresponding ends of the longitudinal path; a servomotor driving the threaded shaft and located at its first end; a fixed front bearing mount receiving the second end of the threaded shaft; a guide extending

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parallel to the threaded shaft along the longitudinal path between its first and second ends and extending through the reciprocating motor-driven block; and a threaded member fixed with respect to the reciprocating motor-driven block receiving the threaded shaft between its first and second ends; the reciprocating motor-driven block being configured to slide along the guide to move the reciprocating motor-driven block between the first and second ends of the longitudinal path while the threaded shaft being rotated by the servomotor within the threaded member.

The closest prior art, Seaton et al. (US 5798085), disclose transport system 100 in automatic analyzer, comprising, as shown in Figures 1-3, boat 22 [‘motor-driven block’] engaging cards 28 [‘carriers’] with sample wells 110 filled with growth media [‘test sample devices’], and an optical interrupt detector 882 [‘position tracking sensor’], the cards also including optical interrupt apertures 112 [‘a plurality of position tracking features’]. Seaton, however, does not teach or suggest the mechanical components of the drive sub-system (such as the threaded shaft, the guide, the fixed front bearing mount, and/or the treaded member) being specifically arranged in the manner recited in claim 1.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.” Any inquiry concerning this communication or earlier communications from the examiner should be directed

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to Natalia Levkovich whose telephone number is 571-272-2462. The examiner can normally be reached on Mon-Fri, 2 p.m.-10 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on 571-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jill Warden/  
Supervisory Patent Examiner, Art Unit 1797